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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,121	12/18/2001	Lauri Soderbacka	810-010767-US(PAR)	3543
2512	7590	06/06/2007	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			NGUYEN, HUY D	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			06/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/024,121

Applicant(s)

SODERBACKA ET AL.

Examiner

Huy D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-15 and 17-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-15, 17-32, 33-34, 36 is/are rejected.
- 7) ☒ Claim(s) 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5, 7-13, 15, 17-32, 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Byrne (U. S. Patent Number 5,737,703) in view of Huang et al. (U. S. Patent Number 6,041,358) and Suk (U.S. Patent Number 6,707,803).

Regarding claims 1, 32, 34,36, Byrne discloses all the claimed invention as set forth in the instant application, also Byrne discloses a multi-mode radio telephone which executes handover between different system, in addition Byrne discloses a method comprising initiating an intersystem handover of a mobile terminal (401) accessing a communication network via a radio access network of a first type (which reads on GSM (base station 130)), by a transmission of said mobile terminal to said communication network (which reads on column 6 lines 45-60), said communication network comprising at least and radio access network of said first type (base station 130) and a radio access network of a second type (cordless base station 114), wherein said which transmission comprises information indicating that an intersystem handover from said radio access network of said first type (base station 130) to said radio access network of said second type (cordless base station 114) should be performed (which reads on column 7 lines 50-60) wherein said information is based on one of a requested content, a requested access point number (which reads on column 7 lines 50-60). However Byrne fails to disclose a

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requested uniform resource location. In the same field of endeavor, Huang et al. further discloses a method for maintaining virtual local area networks with mobile terminals in an atm network. In addition Huang et al. disclose the information is based on a requested internet protocol (IP) address (which reads on a URL because both represent a internet address, disclosed in column 3 lines 35-40). Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Byrne by specifically providing for the information is based on a requested internet protocol (IP) address for the purpose of having the mobile providing packet communication. Byrne and Huang et al. do not teach that the criterion for said intersystem handover is a request content. However, the preceding limitation is taught in Suk (see column 6, lines 23-50). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Suk to the teaching of Byrne and Huang et al. to increase the system flexibility.

Regarding claim 2, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said information indicating that an intersystem handover should be performed is a direct request for a specific type of radio access network (which reads on column 8 lines 30-35).

Regarding claims 3, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said mobile terminal stores a list with at least one preferred type of radio access network, from which list said specific type of radio access network is selected (which reads on column 8 lines 30-35).

Regarding claims 4, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses at least one

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preferred type of radio access network is assigned to a specific type of content or service or to specific characteristics of contents or services, and wherein said specific type of radio access network is selected based on a desired content or service (which reads on column 8 lines 30-35).

Regarding claims 5, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said information indicating that an intersystem handover should be performed enables said communication network to derive a type of radio access network to which said mobile terminal should be connected (which reads on column 8 lines 20-30).

Regarding claims 7, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses for deriving said type of radio access network to which said mobile terminal should be connected based on said information indicating that an intersystem handover should be performed, said 'communication network comprises a network element storing a list with at least one preferred type of radio access network for said mobile terminal (which reads on column 8 lines 35-37).

Regarding claims 8, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said information indicating that an intersystem handover should be performed is transmitted in a dedicated information element in a connection establishment signaling (which reads on column 8 lines 30-35).

Regarding claims 9, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said information

indicating that an intersystem handover should be performed is transmitted in a dedicated message of a connection establishment signaling (which reads on column 8 lines 50-55).

Regarding claim 10, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses said radio access network of said first type is a preferred type of radio access network of said mobile terminal due to a first criterion, and wherein said radio access network of said second type is a preferred type of radio access network of said mobile terminal due to a second criterion (which reads on column 8 lines 47-60).

Regarding claim 11, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses an intersystem handover is required whenever a requested content is only available from a specific operator via said second type of radio access network (which reads on column 8 lines 30-35).

Regarding claim 12, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses said mobile terminal different access point names are assigned to different contents, which contents are available via different types of radio access network, and wherein said information indicating that an intersystem handover should be performed comprises the access point name assigned to a requested content (which reads on column 8 lines 30-35).

Regarding claim 13, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses communication network stores a list for said mobile terminal, in which list different access point names are assigned to a respective type of a radio access network, and wherein said communication

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network selects a type of radio access network to which a handover is to be performed from said list based on said access point name received in said information indicating that an intersystem handover should be performed from said mobile terminal (which reads on column 8 lines 30-35).

Regarding claim 15, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses an intersystem handover should be performed whenever said second type of radio access network is required for a specific service (which reads on column 6 lines 1-9).

Regarding claim 17, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses information indicating that an intersystem handover should be performed is transmitted by said mobile terminal in a setup message to said communication network (which reads on column 7 lines 50-55).

Regarding claim 18, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses communication network grants an intersystem handover initiated by a transmission of said mobile terminal or, in case said intersystem handover is not feasible, blocks a requested call or context activation for which said intersystem handover was initiated (which reads on column 8 lines 30-35).

Regarding claim 19, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses said communication network triggers a handover with a new information element to said first type radio access network (which reads on column 8 lines 5-15).

Regarding claim 20, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses said intersystem handover takes place at a call setup (which reads on column 7 lines 50-55).

Regarding claim 21, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses, wherein said intersystem handover takes place at a packet data protocol (PDP) context activation (which reads on column 8 lines 30-35).

Regarding claims 22-26, Byrne discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses means for accessing a communication network via at least two different types of radio access networks, and transmitting means for transmitting an information indicating that an intersystem handover from a radio access networks of a first type of said communication network to a radio access network of a second type of said communication network should be performed (which reads on column 7 lines 50-60). However Byrne fails to disclose the information is based on a requested internet protocol (IP) address. In the same field of endeavor, Huang et al. further discloses a method for maintaining virtual local area networks with mobile terminals in an atm network. In addition Huang et al. disclose the information is based on a requested internet protocol (IP) address as (disclosed in column 3 lines 35-40). Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Byrne by specifically providing for the information is based on a requested internet protocol (IP) address for the purpose of having the mobile providing packet communication. Byrne and Huang et al. do not teach that the criterion for said intersystem handover is a request content. However, the preceding limitation is taught in Suk (see column 6,

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lines 23-50). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Suk to the teaching of Byrne and Huang et al. to increase the system flexibility.

Regarding claims 27, the combination of Byrne in view of Huang et al. and Suk discloses everything claimed, as applied above (see claim 26) in addition, Byrne discloses comprising storing means for storing for a mobile terminal a list with at least one preferred type of radio access network and selection means for selecting from said list one type of radio access network according to information indicating that an intersystem handover should be performed received from said mobile terminal, and wherein said means for performing an intersystem handover perform said handover in case the mobile terminal is currently accessing said communication network via another type of radio access network than the selected type of radio access network (which reads on column 3 lines 56-67).

Regarding claim 28, Byrne discloses everything claimed, as applied above (see claim 1) in addition, Byrne discloses core network with a network element, which network element includes means for analyzing information indicating that an intersystem handover should be performed received by a mobile terminal in order to determine a type of radio access network to which said mobile terminal should be connected, and means for triggering an intersystem handover in the radio access network to which the mobile terminal is currently connected (which reads on column 8 lines 30-35). However Byrne fails to disclose the information is based on a requested internet protocol (IP) address. In the same field of endeavor, Huang et al. further discloses a method for maintaining virtual local area networks with mobile terminals in an atm network. In addition Huang et al. disclose the information is based on a requested internet

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protocol (IP) address as (disclosed in column 3 lines 35-40). Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Byrne by specifically providing for the information is based on a requested internet protocol (IP) address for the purpose of having the mobile providing packet communication.

Regarding claim 29, Byrne in view of Huang et al. discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses at least one radio access network of said communication network comprises means for performing an intersystem handover to a radio access network of another type of said communication network based on a request by a network element of a core network of said communication network (which reads on column 3 lines 50-67).

Regarding claim 30, Byrne in view of Huang et al. discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses said radio access network of said first type is a 3G (3rd generation) radio access network, and wherein said radio access network of said second type is a 2G (2nd generation) radio access network (which reads on column 1 lines 35-45).

Regarding claim 31, Byrne in view of Huang et al. discloses everything claimed, as applied above (see claims 1) in addition, Byrne discloses said radio access network of said first type is a WCDMA (wideband code division multiple access) radio access network, and wherein said radio access network of said second type is a GSM/GPRS (global System for mobile communications / general packet radio system) radio access network (which reads on column 7 lines 50-60).

Allowable Subject Matter

3. Claim 33 is allowed.
4. Claim 35 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Huy D Nguyen
Patent Examiner
Art Unit 2617



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER